

Application No.: 09/073,748

PATENT  
Docket No. EPI-003 US  
7007962001REMARKS

By this amendment, claims 133, 140-141, 144-149, 156, and 159-163 have been amended; new claims 166-189 have been added; and claims 135, 143, and 151 have been cancelled. Therefore, claims 133-134, 136-142, 144-150, and 152-189 are pending and subject to examination.

In the Office Action mailed November 15, 2005, claims 133-134, 136-139, 141-142, 144-150, 152-155, and 157-165 were rejected, in accordance with the decision of the Board of Patent Appeals. Claims 135, 140, 143, 148, 151, and 156 were objected to. Applicants acknowledge with gratitude the indication of allowable subject matter in claims 135, 140, 143, 148, 151, and 156.

By this amendment, claim 133 has been rewritten to incorporate the subject matter of allowable claim 135, claim 141 has been rewritten to incorporate the subject matter of allowable claim 143, and claim 149 has been rewritten to incorporate the subject matter of allowable claim 151. Furthermore, allowable claims 140, 148, and 156 have been rewritten in independent form. Thus, independent claims 133, 140, 141, 148, 149, and 156 are patentable over the art of record.

Dependent claims 134, 136-139, and 157-158 depend from independent claim 133; dependent claims 142, 144-147, and 159-160 depend from independent claim 141; and dependent claims 150, 152-155, and 161-162 depend from independent claim 149. Dependent claims 144-147 and 159-160 have been amended to correct minor matters of form. As independent claims 133, 141, and 149 are patentable, so dependent claims 134, 136-139, 142, 144-147, 150, 152-155, 157-162 are patentable.

Application No.: 09/073,748

PATENT  
Docket No. EPI-003 US  
7007962001

New claims 169-175 depend from newly independent claim 140, and recite similar language to claims 134, 136-139, and 157-158. New claims 176-182 depend from newly independent claim 148, and recite similar language to claims 142, 144-147, and 159-160. New claims 183-189 depend from newly independent claim 156, and recite similar language to claims 150, 152-155, and 161-162. As independent claims 140, 148, and 156 are allowable, so new claims 169-189 are allowable.

Independent claim 163 has been amended to recite similar language to allowable claims 133, 141, and 149. As the Examiner indicated that this subject matter is allowable, so amended claim 163 is allowable.

New independent claim 166 contains similar language to allowable claims 140, 148, and 156. As the Examiner indicated that this subject matter is allowable, so new claim 166 is allowable.

Dependent claims 164-165 depend from independent claim 163, and dependent claims 167-168 depend from independent claim 166. As independent claims 163 and 166 are allowable, so dependent claims 164-165 and 167-168 are allowable.

Application No.: 09/073,745

PATENT  
Docket No. EPI-003 US  
7007962001CONCLUSION

Reconsideration and allowance of the claims is respectfully requested. The Examiner may call the Assignee's attorney at (650) 849-4400 to further advance prosecution of this case to issuance.

If the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 50-2518, reference no. 2024489-7007962001.

DATE: February 15, 2006

Respectfully submitted,

By: 

Sarah E. Stahnke

Registration No. 54,854

Bingham McCutchen LLP  
Three Embarcadero Center, Suite 1800  
San Francisco, California 94111  
Telephone: (650) 849-4958  
Telefax: (650) 849-4800